

Commercial mediation training

Location & Date

Date: 23rd September 2019

Time: 08:30 - 16:00

Location:

Law Society of Scotland

Atria One, 144 Morrison Street, Edinburgh, EH3 8EX, United Kingdom

CPD Hours: 5.5

Early bird discount available | 20% off all rates until 31 May

Mediation is an alternative means of dispute resolution that is rapidly gaining traction.

More and more clients are becoming aware of mediation as a means of settling issues that can be quicker, cheaper and less stressful than going through litigation. As such, lawyers are increasingly going to be expected to be able to provide mediation services for their clients.

Attend this course to get a comprehensive brief on mediation - why and how it works, as well as where and when it can be used. Participants will get an introduction to the theory, learn about its application in legal work and be able to take part in practical exercises, providing the opportunity to put the day's learning into practice.

Learning outcomes

- Get briefed on different models of mediation and how to apply them in practice
- Be aware of how mediation can be used to ensure positive outcomes for clients
- Understand the key social biases and conflict behaviours that can lead to disputes
- Develop the knowledge, skills and confidence to conduct a mediation session

Trainers - Paul Kirkwood, Accredited Commercial Mediator and Solicitor, and Pamela Lyall, Mediator and Facilitator

Paul Kirkwood

Paul is a Law Society of Scotland accredited commercial mediator; and a member of Scottish Mediation. He has a Master's degree (LLM merit) in mediation, negotiation and conflict resolution. He works as an independent, full-time mediator/facilitator, heading up MNCRS-Mediation, Negotiation and Conflict Resolution Services.

He is a lead mediator for the University of Strathclyde mediation clinic (USMC) which provides pro bono mediation services at Falkirk, Glasgow and Paisley Sheriff Courts; additionally he is a lead mediator at Edinburgh Sheriff Court under the CAB Edinburgh pro bono mediation scheme.

Since 2016 Paul has led and co-mediated many commercial mediations, covering all types of legal dispute. He is an enrolled solicitor registered in 1993 with a full practising certificate, and 26 years' experience in litigation. He was formerly a partner in a large UK-wide law firm specialising in litigation.

Paul also has experience in training new mediators - he tutors for the mediation elective course on the Diploma of Legal Practice Degree at Edinburgh University and provides lectures, presentations and training on commercial mediation to legal practices.

Pamela Lyall

Pamela is one of Scotland's most experienced commercial mediators, having been accredited as a mediator by CEDR in 2000. Previously part of another mediation service, she has since December 2014 been operating as an independent, full-time mediator, coach and facilitator.

She has mediated in excess of 300 disputes relating to a broad spectrum of sectors and was named as Mediator of the Year (Scotland) 2014 by Lawyer Monthly. Previously, she was a partner in the litigation group of a large national law firm.

Pamela has extensive experience in the UK in leading training courses in mediation and negotiation and is a regular contributor at conferences.

Programme Details

08:30 - 09:00 Registration and refreshments

Session one: Introduction to mediation

09:00 - 11:00

- Social biases: what they are and how they are exhibited
- The human brain and conflict behaviour
- Models of mediation: transformative, facilitative, strategic and evaluative

This session will provide an introduction to the thinking behind mediation. We will look at the ways in which cognitive biases can shape behaviour and prolong disputes and conflicts. Following this, we will learn about the different models of mediation and how they can be used to overcome entrenched disagreements.

11:00 - 11:15 Refreshments break

Session two: Applying mediation techniques to legal work

11:15 - 13:00

- What to expect from commercial mediation
- Ensuring the best outcome for clients
- Practical applications of mediation techniques
- Understanding and managing risk
- The mediation process

This session will take the concepts covered in the first session and look at how they can be applied specifically to legal work. We will focus on the needs and expectations of the client, the situations in which mediation can be useful and ways of constructing an effective mediation strategy.

13:00 - 13:40 Lunch break

Session three: Practical exercises

This session will use case study and roleplay-based learning to provide an opportunity to apply techniques learned in the first two sessions. Attendees should read the case study in advance of the training day.

13:40 - 14:40 **Exercise 1: Preparing a mediation session**

14:40 - 14:55 Refreshments break

14:55 - 15:55 **Exercise 2: Conducting a mediation session**

15:55 - 16:00 Final comments, questions and close of day

Prices

prices exclude VAT

New member:	£175.00
Trainee :	£175.00
Accredited paralegal:	£175.00
Member rate:	£210.42
Non-member rate:	£222.92
Unemployed member :	£162.50